

REMARKS/ARGUMENTS

Claims 1-6 are pending, with claim 1 being independent.

Claims 1-3 stand rejected under 35 U.S.C. § 103(a) as obvious over Kim (U.S. 7,366,188) in view of Bendinelli (U.S. 6,631,416). Claims 4-6 stand rejected as obvious over Kim in view of Bendinelli and Read (U.S. 2004/0028035).

The critical reference date of Kim under 35 U.S.C. § 102(e) is the earliest U.S. filing date, which is January 21, 2004 (the Korean priority dates of Kim cannot be used as the critical date, see M.P.E.P. § 706.02(VI)(C)). The present application is based on a Patent Cooperation Treaty (PCT) application, filed December 24, 2004, which claims priority to FR 04/00425 (FR '425), which was filed January 16, 2004. Thus, Kim can be disqualified as a reference against the present application by filing a certified English-language translation of FR '425, if that document supports all of the pending claims of the present application in the sense of 35 U.S.C. § 112. (37 C.F.R. § 1.55(a)(3); M.P.E.P. § 706.02(b)).

Applicants submit herewith a certified English-language translation of FR '425. The translation of FR '425 is very similar in content to the present application, except that it does not include claims 3 and 4, which were added to the PCT application. Applicants note that the subject matter of claim 3 is described at page 7, lines 12-14, of the FR '425 translation, and the subject matter of claim 4 is described at page 9, lines 14-18, of the FR '425 translation. It is therefore deemed that the disclosure of FR '425 supports all of the pending claims of the present application in the sense of 35 U.S.C. § 112.

Accordingly, Applicants request withdrawal of the rejections based on Kim, which leaves no rejections remaining in this application.

In view of the foregoing amendments and remarks, Applicants request favorable reconsideration and early passage to issue of the present application.

It is believed that no fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,
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Dated: April 23, 2010